



Case 1:07-cv-07441-HB

USDS SDNY

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United States Attorney
Southern District of New York

Page 1 of 2

16 Chambers Street, 3rd Floor
New York, New York 10007

October 23, 2007

BY FAX 212.805.7901

The Honorable Harold Baer
United States District Judge
United States Courthouse
500 Pearl Street, Room 2230
New York, NY 10007

Re: *Klenikov v. Keisler et al.*, No. 07 Civ. 7441 (HB)

Dear Judge Baer:

This Office represents the defendants, Peter Keisler, Acting Attorney General of the United States; Michael Chertoff, Secretary of the Department of Homeland Security ("DHS"); Emilio Gonzalez, Director of the United States Citizenship and Immigration Services ("USCIS"); Paul Novak, Director of Vermont Service Center; Robert Mueller, Director of the Federal Bureau of Investigation ("FBI"); Michael Hayden, Director of the Central Intelligence Agency ("CIA"); Andrea Quarantillo, Director, New York, USCIS; the DHS; the USCIS; the FBI; and the CIA (collectively, the "Government"), in the above-referenced case.¹ Plaintiffs seek to compel the Government to adjudicate their applications for permanent residence.

On October 22, 2007, the Court granted the Government's request for an extension of time to answer the complaint until November 26, 2007. At present, there is a pretrial conference set for this Thursday, October 25, 2007 at 4:15 PM. The Government requests that the pretrial conference be adjourned until a date convenient for the Court shortly after the Government's due date for answering the complaint. Adjourning the pretrial conference until after the Government's answer is due will allow the Government the opportunity to attempt to determine the status of the plaintiffs' applications for permanent residence. Plaintiffs' counsel consents to this request.

¹ Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Acting Attorney General Peter Keisler has been substituted for former Attorney General Alberto Gonzales.

Respectfully,

MICHAEL J. GARCIA

United States Attorney

By:

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One Gateway Center
Suite 2600
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*Dec 27 at
3:00 PM*

SO ORDERED:

Harold Baer, Jr., U.S.D.J.

Date:

10/24/07